

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference Case P-10094		FOR FURTHER ACTION See Form PCT/IPEA/416																	
International application No. PCT/SE 2003/001285	International filing date (day/month/year) 18.08.2003	Priority date (day/month/year) 21.08.2002																	
International Patent Classification (IPC) or national classification and IPC B27B 17/00, F02F 7/00																			
Applicant Aktiebolaget Electrolux et al																			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																			
<p>4. This report contains indications relating to the following items:</p> <table border="0"> <tr> <td><input checked="" type="checkbox"/> Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/> Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/> Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/> Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/> Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/> Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/> Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/> Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>				<input checked="" type="checkbox"/> Box No. I	Basis of the report	<input type="checkbox"/> Box No. II	Priority	<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/> Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/> Box No. VI	Certain documents cited	<input type="checkbox"/> Box No. VII	Certain defects in the international application	<input type="checkbox"/> Box No. VIII	Certain observations on the international application
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Date of submission of the demand 15.03.2004		Date of completion of this report 22.11.2004																	
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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No. **2003/001285**
PCT/SE

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b))
- ☐ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☒ the international application as originally filed/furnished

☐ the description:

pages _____ as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ the claims:

pages _____ as originally filed/furnished

pages* _____ as amended (together with any statement) under Article 19

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ the drawings:

pages _____ as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/SE 2003/001285

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1-8</u>	YES
	Claims	_____	NO
Inventive step (IS)	Claims	_____	YES
	Claims	<u>1-8</u>	NO
Industrial applicability (IA)	Claims	<u>1-8</u>	YES
	Claims	_____	NO

2. Citations and explanations (Rule 70.7)

D1: US, A, 6363618

D2: US, A, 5243764

D3: US, A, 5029393

The object of the invention is to solve the problem of improving the durability of a portable tool.

D1, which is to be considered as the closest state of the art, provides a manually guided, portable implement, especially a power saw. The implement has a cylinder and a crankshaft that is connected to a piston via a piston rod. The implement has an essentially plastic housing as well as a lower crankcase. A stabilizing plate is nearly entirely embedded in the material of the lower crankcase. The one-piece stabilizing plate is provided with support sockets for bolting the lower crankcase to the cylinder. An overall metallic screw connection can thus be established (abstract, col. 3, lines 15 - 57). D1 provides a more durable joint between cylinder and crankcase.

The invention, according to claim 1, differs from what D1 states in the matter of the working part being clamped to a protruding part of the crankcase. In D1 it's the cylinder that is clamped to the crankcase. But the claimed inventive feature of strengthening the joint between the working tool and the crank house is known from what D1 discloses (as well as D2 and D3) and the feature of clamping the working tool to a protruding part is in itself merely a constructional feature, a feature that is considered obvious to a person skilled in the art and does not require the person skilled in the art to perform an inventive activity in order construct a device as claimed in the claim 1.

.../...

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of: BOX V

D2 disclose a portable machine saw where the stresses acting on the guide bar 32 are at least in part conducted directly into the engine block of the engine 2 via the stud bolt 36 whereby the loads on the housing 1 are reduced. The unit made of metal and comprising the guide bar, stud bolts and engine block operates in this manner to stiffen or reinforce the housing 1, which is made of plastic, by receiving forces.

D3 discloses a machine saw where the frame 5 is a moulded integrally of die-cast magnesium alloy, aluminum alloy, or, as desired, of a high rigidity synthetic resin of reduced weight and adequate strength. The main frame 5 is shaped to have a recess 6 substantially in its center, holding a shim 6a into which the lower half of the crankcase 8 of a small air-cooled two-cycle gasoline engine 7 (the prime mover) is inserted. The engine 7 is provided with flanges 9, integrally molded in the axial direction of the crankshaft 30 on the front and rear sides of the crankcase 8, which sit on shoulders 6b and are held securely by bolts 18. The main frame 5 is cast to provide at its front an oil tank 10 for lubricating oil for the saw chain. A saw chain 40, mounted on a guide bar 39, is attached to a fitting 42, integrally molded with the housing on the right side of the engine.

The claims 2-8 state details such as what material to use, the shape of the component (16) and how to secure the component to the casing and are details that are considered obvious to a person skilled in the art to implement in the arrangements of D1-D3. The invention according to claims 2-8 are consequently considered to lack an inventive step.

Conclusively, the invention according to claims 1-8 is novel, industrial applicable but considered to lack an inventive step.